

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Jamie FAVARO, Barbara ROSS, Philipp
RASSMANN, Marilyn HORAN, Peter MEITZLER,
and Michael GREEN,

Plaintiffs,

-against-

THE CITY OF NEW YORK, Raymond KELLY,
POLICE COMMISSIONER OF THE NEW YORK
CITY POLICE DEPARTMENT, NEW YORK CITY
POLICE DEPARTMENT, P.O. JOHN and JANE
DOE individually and in their official capacities, (the
names John and Jane Doe being fictitious, as the true
names and number are presently unknown),

Defendants.

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SCHEDULING ORDER

08 Civ. 01855 (SAS)

Conference Date:

April 9, 2008

WHEREAS, the Court issued an Order for a Conference in accordance with Fed.

R. Civ. P. 16(b) on March 13, 2008 (the "Order"); and

WHEREAS, the Order requires that the parties jointly prepare and sign a
proposed scheduling order containing certain information;

NOW, THEREFORE, the parties hereby submit the following information as
required by the Order:

- 1) The date of the Conference is April 9, 2008 and the appearances for the parties are
as follows:

David B. Rankin (DR 0863)
Attorney for Plaintiffs
350 Broadway, Suite 700
New York, NY 10013

Mark D. Zuckerman (MZ 6844)
Attorney for Defendants
100 Church Street
New York, NY 10007

- 2) A concise statement of the issues as they then appear:

Plaintiffs alleged their bicycles were seized in violation of the 1st, 5th, and 14th, Amendments. Defendants deny these allegations.

- 3) The case schedule:

- a) The names of persons to be deposed and schedule of planned depositions; Plaintiffs:

Jamie FAVARO

Barbara ROSS

Philipp RASSMANN

Marilyn HORAN

Peter MEITZLER

Michael GREEN

- other Central Mass bike riders to be determined

Defendants:

to be
scheduled
following
written
discovery
responses
as set
forth below

Defendant, members of the New York City Police Department, with the request knowledge have yet to be identified.

- b) A schedule for the production of documents:

i) Demands for Production and Interrogatories: June 21, 2008

ii) Response to demands for production and interrogatories: July 21, 2008

iii) Close of depositions: October 21, 2008

- c) Date by which (i) each expert's reports will be supplied to the adverse side and (ii) each expert's deposition will be completed:

At this time, neither party is contemplating expert witnesses. However, we wish to reserve the right to revisit this issue.

- d) Time when discovery is to be completed;

Oct 21, 2008

~~December 15, 2008~~

- e) The date by which plaintiff will supply its pretrial order matters to defendant;

Fifteen (15) days after dispositive motions are decided.

- f) The date by which the parties will submit a pre-trial order in a form conforming with the Court's instructions together with trial briefs and either (1) proposed findings of fact and conclusions of law for a non-jury trial, or (2) proposed voir dire questions and proposed jury instructions, for a jury trial; and

Fifteen (15) days after the events detailed in ¶ (e).

- g) A space for the date for final pre-trial conference pursuant to Fed. R. Civ. P. 16 (d) to be filled in by the Court at the Conference.

Oct 30 at 4³⁰

- 4) A statement of any limitations to be placed on discovery, including any protective or confidentiality orders;

Plaintiff, to the extent applicable, will request a confidentiality order on any psychological records provided to the defendants.

- 5) A statement of those discovery issues, if any, on which counsel, after a good faith effort, were unable to reach an agreement;

No issues have arisen.

- 6) Anticipated field of expert testimony, if any;

None are anticipated.

- 7) Anticipated length of trial and whether to a court or a jury;

Trial is anticipated to last three to four days and will be presented to a jury.

- 8) This Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference or when justice so requires;

Dated:

April 9, 2008
New York, New York

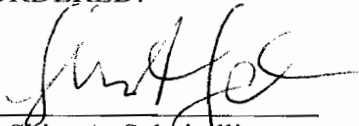
By: 

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t: 212-226-4507

By: 

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t: 212-442-8248

SO ORDERED:



Shira A. Scheindlin
U.S.D.J.

4/9/08